

REMARKS

Claims 1-16 are pending in the application and the same are rejected. By this Amendment, claims 8 and 16 are cancelled and claims 1 and 9 are amended. Accordingly, claims 1-7 and 9-15 remain in the application and are presented for review and further consideration by the Examiner

The Examiner has rejected claims 8 and 16 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Examiner states that in claims 8 and 16 there is an inconsistency between the language of the preamble of claims 1 and 9 reciting a reinforcer as the invention and the language of claims 8 and 16 reciting structure of the seat thereby making the scope of the claims indefinite.

Applicant has cancelled claims 8 and 16.

The Examiner has rejected claims 1, 4, 7-9, 12, 15, and 16 under 35 U.S.C. §102(b) as being anticipated by Sawasaki, U.S. Patent No. 1,322,959. (Examiner's Action, page 3, ¶ 4).

Applicant respectfully disagrees as to dependent claims 8 and 16.

Sawasaki discloses a bicycle seat cover having a sitting surface, but no supporting surface for supporting a user's back. Sawasaki also does not disclose or suggest a flexible panel sized and configured to encircle the edge of the seat with the supporting surface of the seat accessible through an opening.

In contrast, Applicant's independent claims 1 and 9, as amended to include limitations of canceled claims 8 and 16, include wording that a supporting surface for supporting a user's back is accessible through an opening formed in the reinforcer. Sawaski does not disclose any structure that forms an opening to a supporting surface for supporting a user's back.

The Examiner has rejected claims 1, 5, 7-9, 13, 15, and 16 under 35 U.S.C. §102(b) as being anticipated by Livingston, U.S. Patent No. 4,946,221. (Examiner's Action, page 3, ¶ 5).

Applicant respectfully disagrees as to dependent claims 8 and 16.

Livingston discloses an infant seat cover for covering an infant within an infant seat. Livingston does not disclose an opening formed against a sitting surface and a supporting surface for supporting a user's back. The opening in Livingston is configured to allow room for an infant between the opening and the sitting surface and the supporting surface. Since the opening is configured to allow room for an infant between the opening and the sitting surface and the supporting surface, the opening is not against the sitting surface and the supporting surface.

In contrast, Applicant's independent claims 1 and 9, as amended, include wording that an opening is a supporting surface for supporting a user's back is accessible through an opening formed against a sitting surface and a supporting surface of a seat, the supporting surface for supporting a user's back. Livingston does not disclose any opening formed against a sitting surface and a supporting surface of a seat.

The Examiner has rejected claims 2, 3, 5, 6, 10, 11, 13, and 15 under 35 U.S.C. §103(a) as being unpatentable over Sawasaki in view of Livingston. (Examiner's Action, page 4, ¶ 1).

Applicant respectfully disagrees.

In view of Applicant's arguments and amendments with respect to independent claims 1 and 9 being allowable, Applicant respectfully submits that the remaining dependent claims are also allowable because they contain all of the limitations of their respective independent claims and further add structural and functional limitations.

The foregoing amendments and arguments are believed to be a complete response to the most recent Examiner's Action.

No new matter has been added.

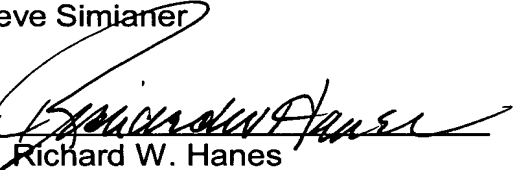
It is respectfully submitted that there is no claim, teaching, motivation, or suggestion in any of the cited art, alone or in combination, to produce what Applicant claims.

It is further submitted that the application, as amended, defines patentable subject matter and that the claims are in a condition for allowance. Such allowance at an early date is respectfully requested.

Should any issues remain which would preclude the prompt disposition of this case, it is requested that the Examiner contact the undersigned practitioner by telephone.

Respectfully submitted,
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By


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